

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ARTURO R. REYES,

Plaintiff,

v.

WASHINGTON STATE PATROL,

Defendant.

Case No. C08-5024RJB-KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the Court on plaintiff's filing of an application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.

On January 10, 2008, the Clerk received plaintiff's complaint and application to proceed *in forma pauperis*. (Dkt. #1). On January 16, 2008, the Clerk sent plaintiff a letter informing him that his application was deficient in that he had submitted the incorrect acknowledgment and authorization form. (Dkt. #2). Plaintiff since has provided the correct form. (Dkt. #3).

The undersigned, however, finds plaintiff's application to proceed *in forma pauperis* to contain a

1 further deficiency. In his application, plaintiff states that he has no financial assets and has received no  
2 such assets from any other source during the past 12 months. The inmate account statement plaintiff  
3 submitted with his application though, shows that from late June 2007, through early January 2008, he  
4 received a total of \$850.00 from both the Western Union and a "Lockbox-CD."

5 Given this discrepancy in plaintiff's application, the Court at this time is unable to determine if he  
6 is entitled to *in forma pauperis* status. That is, it is unclear from exactly which sources plaintiff is getting  
7 the above funds, and whether he expects to continue to get them.

8 Accordingly, the Court orders the following:

- 9 (1) Plaintiff shall seek to cure the above deficiency by filing **no later than March 12, 2008**, a  
10 response explaining in detail how much money he has received during the past 12 months  
11 and from which sources, and whether he expects to continue to receive money from these  
12 or other sources and in what amounts.

13 **Failure to cure this deficiency by the above date shall be deemed a failure to properly**  
14 **prosecute this matter and the Court will recommend dismissal of this matter.**

- 15 (2) The Clerk is directed to send a copy of this Order to plaintiff.

16 DATED this 11th day of February, 2008.

17  
18  
19 

20 Karen L. Strombom  
21 United States Magistrate Judge  
22  
23  
24  
25  
26  
27  
28